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TELECOPY COVER SHEET

Equipment Operator Contact Number: 617-310-8257. Please call if you do not receive all the pages.

Date: July 28, 2003

TO: **Name:** Examiner Phuong N. Huynh (GROUP ART UNIT 1644)
Company: U.S. Patent and Trademark Office
Address: Washington, DC 20231
Telephone:
Fax: (703) 746-5295

FROM: **Sender:** Duncan A. Greenhalgh
Number of Pages INCLUDING This Cover Sheet: Twenty three (23)
Your Ref: U.S.S.N. 09/780,142
Our Ref: MEE-002 (5579/9)

Comments:

Dear Examiner Huynh:

Attached are copies of an Amendment and Response and related papers, which were filed with the Office on April 18, 2003. Please call with any questions.

Duncan A. Greenhalgh

2660948_1

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PATENT
Attorney Docket No. MEE-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Miller *et al.*
SERIAL NO.: 09/780,142 GROUP NO.: 1644
FILING DATE: February 9, 2001 EXAMINER: Phuong N. Huynh
TITLE: Methods and Compositions for Treating Conditions of the Eye

OFFICIAL

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this eighteenth day of April, 2003.

Keri Lennon
Keri Lennon

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Amendment and Response (17 pgs.); Petition for Extension of Time (1 pg.); Supplemental Information Disclosure Statement (2 pgs.); Form PTO-1449 (3 pgs.); copies of IDS citations (A8 and C87-C118); copy of Information Disclosure Statement filed April 25, 2002 (2 pgs.); copy of Form PTO-1449 filed April 25, 2002 (6 pgs.); copy of IDS citations (A1-A7, B1-B7 and C1-C86); a check in the amount of \$235.00; and a return receipt postcard.

2612412_1

TRANSMITTAL FORM

Application Serial Number	09/780,142
Filing Date	February 9, 2001
First Named Inventor	Miller
Group Art Unit	1644
Examiner Name	Phuong N. Huynh
Attorney Docket No.	MEE-002
Patent No.	Not applicable
Issue Date	Not applicable

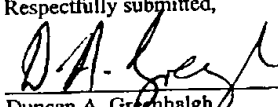
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) (i) copy of Information Disclosure Statement filed April 25, 2002 (ii) copy of Form PTO-1449 filed April 25, 2002 (iii) copy of IDS Citations A1-A7, B1-B7, and C1-C86
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CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
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 High Street Tower
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 Boston, MA 02110
 Tel. No.: (617) 248-7000
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SIGNATURE BLOCK

Respectfully submitted,

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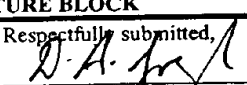
Date: April 18, 2003
 Reg. No. 38,678
 Tel. No.: (617) 248-7317
 Fax No.: (617) 248-7100

2612387_1

FEE TRANSMITTAL **FY 2003**

Complete if Known

Application Serial Number	09/780,142
Filing Date	February 9, 2001
First Named Inventor	Miller
Group Art Unit	1644
Examiner Name	Phuong N. Huynh
Attorney Docket No.	MEE-002

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.				<table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte reexamination</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td>55.00</td> </tr> <tr> <td>410</td> <td>205</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>930</td> <td>465</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1450</td> <td>725</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1970</td> <td>985</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>280</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td>180.00</td> </tr> <tr> <td>750</td> <td>375</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>750</td> <td>375</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td colspan="2"></td> </tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month	55.00	410	205	Extension for reply within second month		930	465	Extension for reply within third month		1450	725	Extension for reply within fourth month		1970	985	Extension for reply within fifth month		320	160	Notice of Appeal		320	160	Filing a brief in support of an appeal		280	140	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	750	375	Filing a submission after final rejection (37 CFR 1.129(a))		750	375	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		Other fee (Specify)				Other fee (Specify)			
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Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100				Date: April 18, 2003 Reg. No.: 38,678 Tel. No.: (617) 248-7317 Fax No.: (617) 248-7100 Respectfully submitted,  Duncan A. Greenhalgh Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110																																																																																			

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